

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 1-12 are amended for clarity and to correct informalities. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner MacNeill in the July 12, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Applicants thank the Examiner for the indication that claims 5-8 recite allowable subject matter. Specifically, the Office Action indicates that the prior art does not teach or suggest a circuit which follows the shape of an inverted U, in combination with the other limitations of the claims.

The Office Action objects to claim 9. Claim 9 is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1-4 and 9-12 under 35 U.S.C. §102(e) over Furst et al. (U.S. Pub. No. 2004/0162517 A1) (Furst). Applicants respectfully traverse the rejection.

As agreed during the July 12 personal interview, Furst fails to disclose, or to have suggested, a disposable needleless injection device with a housing, in an assembled state, that is accessible from the outside so that a pyrotechnic cartridge can be inserted into the housing directly in a circuit of elements, independently of the other elements, as recited in independent claim 1.

Furst discloses a needleless hypodermic injection device 11 comprising a first housing part 20 with an impact ignition actuation device 49, a primer material 2 and propellant 24a in a shell case 7 disposed in a second housing part 21 and a medication container 12 (see Fig. 1). Furst teaches that the first housing part 20 and second housing part 21 are connected to each

other by a screw connection 30. After the shell case 7 (allegedly corresponding to the claimed cartridge) is placed in the second housing part 21, the first housing part 20 and second housing part 21 must be screwed together at the screw connection 30. That is, the shell case containing the propellant 24a is fully enclosed in the housing 20, 21 when the housing is in an assembled state. Thus, the housing 20, 21 in an assembled state in Furst is not accessible from the outside so that the shell case can be inserted directly in the circuit of element, independently of the other elements. Therefore, Furst fails to teach, nor can Furst reasonably be considered to have suggested, a needleless injection device with all of the features positively recited in at least independent claim 1.

Furst suffers from the shortfall in the prior art discussed in the background section of Applicants' disclosure. It is precisely these shortfalls which are among the objective of the claimed subject matter at overcoming. Because the claimed housing is in an assembled state accessible from the outside, the pyrotechnic charge is able to be positioned in the circuit of elements at any stage in the process of assembling the body of the device, including the state in which the body is assembled, and thus independently of the assembly of other elements or the body (see page 4, lines 21-26 of the specification). The device of Furst fails to disclose a configuration that realizes any such benefit.

For at least this reason, the combination of all of the features positively recited in at least independent claim 1 is neither taught, nor would it have been suggested, by Furst. Further, claims 2-4 and 9-12 are also neither taught, nor would they have been suggested, by Furst for at least the respective dependence of these claims, directly or indirectly, on allowable claim 1, as well as for the separately patentable subject matter that each of the claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-4 and 9-12 under 35 U.S.C. §102(e) as being anticipated by Furst are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4 and 9-12, in addition to the indicated allowable subject matter of claims 5-8, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:RMJ/tls

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